

PTO/SB/26 (10-00)

<b>TERMINAL DISCLAIMER TO OBLViate A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT</b>		<b>DOCKET NUMBER</b> 1052404.01001US0
In re Application of: David F. Tobias, et al.		
Application No.: 10/601,694		
Filed: September 12, 2003		
For: METHOD AND APPARATUS FOR COMMUNICATING CONFIGURATION DATA FOR A PERIPHERAL DEVICE OF A MICROCONTROLLER VIA A SCAN PATH		
<p>Petitioner*, <u>Advanced Micro Devices, Inc.</u>, is the owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 158 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,383,501. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p>		
<p>In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 158 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p>		
Check either box 1 or 2 below, if appropriate.		
<p>1. <input checked="" type="checkbox"/> For submissions on behalf of any organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.</p>		
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>		
<p>2. <input type="checkbox"/> The undersigned is an attorney or agent of record.</p>		
<u>Dec 20, 2004</u> <small>Date</small>		 <small>Signature</small>
<p>Mr. Paul Drake          Global IP Portfolio Counsel and Assistant          Secretary          Authorized To Sign This Document On Behalf Of          Advanced Micro Devices, Inc.</p>		
<input checked="" type="checkbox"/> Terminal disclaimer fee under 37 CFR 1.20(d) included.		
<small>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by assignee (owner). Form PTO/SB/36 may be used for making this certification. See MPEP § 324.</small>		

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